FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.2251 OF 2006

Janu @ Billa Malappa Pawar ..Applicant
Versus
The State of Maharashtra ..Respondent

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

---

Mr.S.R.Chitnis Sr.Advocate i/by
Khan Abdul Wahab for the applicant

Mr.P.S.Hingorani APP for the State

Coram : R.S.Mohite,J

Date : 22.6.2006.

PC

1. This is an application for grant of bail. The applicant alongwith 2 other persons are shown as accused in C.R.No.108/2006 registered by the Kurla Police station for offences under Section 302 r/w 34 of IPC. On perusal of the FIR it is seen that the said Complainant Sunil Bhaskar Shinde alongwith deceased Dhananjay, Prashant and Shyam went to the area where the accused were

residing to find out why accused have assaulted their friend Sunil Pagare. When they were asking an explanation, one of the co-accused Rais assaulted them with the sickle. As far as the present applicant is concerned, he has admittedly not assaulted the deceased. Some people tried to intervene and he said to have threatened them not to intervene at the point of knife. It appears that the accused had not come to the area of the deceased and the entire incident occurred when the deceased alongwith 2 others went to the area of accused and demanded an explanation. APP states that there were 7 cases registered against the present applicant and that the applicant has got a history of crime. In my view bail can be granted with stringent conditions. It is therefore, directed that pending his trial in C.R.No.108/2006 of Kurla Police station for offences under Section 302 r/w

34 of IPC, the applicant may be released on bail in the sum of Rs.25,000/- with one surety in the like amount subject to the condition that he will stay out of the area of Greater Bombay. Prior to his release the applicant will give his full address where he intends to reside to the Jailor as well as to the investigating officer of the concerned police station. He will report to the police station nearest to his place of residence once a week on every first Monday till the disposal of the trial. By way of exception to the condition of residing out of Greater Bombay, applicant will be entitled to enter Greater Bombay only on the dates when his trial is scheduled to be held and only for the purpose of attending the trial and on the same day he will remove himself from the Greater Bombay. Application stands disposed of.

(R.S.Mohite,J)